

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

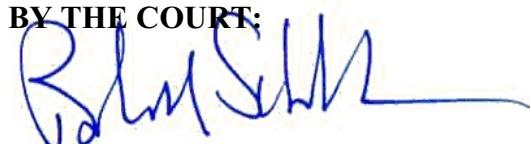
<b>LIONEL FRANKS,</b>	:	
<b>Plaintiff,</b>	:	<b>CIVIL ACTION</b>
	:	
<b>v.</b>	:	
	:	
<b>TEMPLE UNIVERSITY, et al.,</b>	:	<b>No. 11-879</b>
<b>Defendants.</b>	:	

**ORDER**

AND NOW, this 25<sup>th</sup> day of April, 2011, upon consideration of Defendant Temple University's Motion to Dismiss, Plaintiff's response thereto, and for the reasons stated in this Court's Memorandum dated April 25, 2011, it is hereby **ORDERED** that:

1. Defendant's Motion (Document No. 10) is **GRANTED**.
2. Count II of the Complaint, asserting a vicarious liability claim against Temple University, is **DISMISSED**.
3. Temple University is **DISMISSED** as a party to this action.

BY THE COURT;



**Berle M. Schiller, J.**